

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

JOHN J. BATCHER,	:	
	:	No.
Plaintiff,	:	
	:	
v.	:	
	:	
ROCKET MORTGAGE, LLC	:	
and AMROCK, LLC,	:	
	:	
Defendants.	:	Electronically Filed

NOTICE OF REMOVAL

TO: United States District Court
Middle District of Pennsylvania
Max Roseann U.S. Courthouse
197 South Main Street
Wilkes-Barre, PA 18701

Defendants, Rocket Mortgage, LLC and Amrock, LLC (together, the “Defendants”), through counsel, file this Notice of Removal to the United States District Court for the Middle District of Pennsylvania from the Court of Common Pleas of Wayne County, Pennsylvania pursuant to 28 U.S.C. §§ 1332, 1441(a), and 1446. In support, Defendants state the following:

1. On April 11, 2022, both Rocket Mortgage, LLC and Amrock, LLC received a copy of the Complaint filed by Plaintiff, John J. Batcher (“Plaintiff”) in the Court of Common Pleas of Wayne County, Pennsylvania, Docket No. 151-2022-CIVIL. A true and correct copy of the Complaint is attached as **Exhibit A**.

2. In the Complaint, Plaintiff pleads the following counts against Defendants: Count I – Breach of Contract; and Count II – Negligence. (Ex. A at 3-4).

3. Under 28 U.S.C. § 1441(a), “a defendant may remove an action brought in state court to federal district court if the claims fall within the scope of federal [subject-matter] jurisdiction.” *Gosch v. Int’l Chapter of Horseshoers and Equine Trades, Local 947*, 200 F. Supp. 3d 484, 489 (M.D. Pa. 2016) (citations omitted and alteration in the original).

4. “The two primary types of ‘[federal subject-matter] jurisdiction’ that § 1441(a) contemplates are diversity jurisdiction and federal question jurisdiction.” *Id.* (citations omitted and alteration in the original).

5. Diversity jurisdiction exists “where the matter in controversy exceeds the sum or value of \$75,000, exclusive of interest and costs, and is between—(1) citizens of different states.” 28 U.S.C. § 1332(a)(1).

6. Where the notice of removal is based upon diversity of citizenship, “the sum demanded in good faith in the initial pleading shall be deemed to be the amount in controversy.” 28 U.S.C. § 1446(c)(2).

7. Based on the allegations in the Complaint, the amount in controversy exceeds the threshold amount of \$75,000. Plaintiff seeks damages against Defendants “in an amount in excess of \$200,000....” (See Ex. A at 4-5).

8. Moreover, complete diversity exists in this dispute.
9. In the context of diversity jurisdiction, limited liability companies like Rocket Mortgage, LLC and Amrock, LLC are “citizen[s] of all the states of [their] members.” *GBForefront, L.P. v. Forefront Mgmt. Grp., LLC*, 888 F.3d 29, 34 (3d Cir. 2018). A corporation’s citizenship is determined by “both its state of incorporation and the state of its principal place of business.” *Id.* “The citizenship of a natural person is the state where that person is domiciled.” *Id.*
10. Rocket Mortgage, LLC is a citizen of Michigan and Delaware for purposes of diversity jurisdiction. Rocket Mortgage, LLC is a limited liability company. Rocket Mortgage, LLC’s sole member is RKT Holdings, LLC. RKT Holdings, LLC has three members – Rock Holdings Inc., Rocket Companies, Inc., and Dan Gilbert. Rock Holdings, Inc. is a Michigan corporation, with a principal place of business in Michigan. Rocket Companies, Inc. is a Delaware corporation, with a principal place of business in Michigan. Dan Gilbert is an individual with his domicile in Michigan. Based on the foregoing, Rocket Mortgage, LLC is a citizen of Michigan and Delaware.

11. Amrock, LLC is a citizen of Michigan and Delaware for purposes of diversity jurisdiction. Amrock, LLC is a limited liability company. Amrock, LLC’s sole member is RKT Holdings, LLC. RKT Holdings, LLC has three members – Rock Holdings Inc., Rocket Companies, Inc., and Dan Gilbert. Rock

Holdings, Inc. is a Michigan corporation, with a principal place of business in Michigan. Rocket Companies, Inc. is a Delaware corporation, with a principal place of business in Michigan. Dan Gilbert is an individual with his domicile in Michigan. Based on the foregoing, Amrock, LLC is a citizen of Michigan and Delaware.

12. Plaintiff, John J. Batcher, is an adult individual residing at 204 Terrace Heights, Honesdale, Pennsylvania. (Ex. A at ¶ 1). According to Plaintiff's allegations, he is domiciled in Pennsylvania, and thus is a citizen of Pennsylvania.

13. Accordingly, complete diversity of citizenship exists because Plaintiff is a citizen of Pennsylvania and Defendants are citizens of Michigan and Delaware.

14. The timing of this Notice is proper because, under 28 U.S.C. § 1446(b)(1), a defendant may remove a civil action from state court to a United States district court in which the action is pending, within 30 days of receipt of a copy of the initial pleading.

15. Given Defendants' receipt of the Complaint on April 11, 2022, this Notice of Removal is timely.

16. A true and correct copy of this Notice of Removal will be filed with the Court of Common Pleas of Wayne County, Pennsylvania, immediately upon

acceptance of this filing by the Middle District of Pennsylvania and upon assignment of a docket number.

17. This Notice of Removal is filed subject to and without waiver of any rights or available defenses Defendants may have with respect to the Complaint. Additionally, by filing this Notice of Removal, Defendants do not admit any of the allegations made in Plaintiff's Complaint.

WHEREFORE, Defendants Rocket Mortgage, LLC and Amrock, LLC respectfully remove this matter to this Court.

Dated: April 29, 2022

Respectfully submitted,



Caitlin P. Strauss (202769)
Centre Square West
1500 Market Street, 38th Floor
Philadelphia, PA 19102
(215) 972-7153
Caitlin.Strauss@saul.com
*Attorney for Defendants,
Rocket Mortgage, LLC and Amrock, LLC*

CERTIFICATE OF SERVICE

I hereby certify that on April 29, 2022, I served a true and correct copy of the foregoing *Notice of Removal* via electronic mail and first class mail, postage prepaid, upon the following:

John J. Martin, Esq.
Law Offices of John J. Martin
1022 Court Street
Honesdale, PA 18431
jmartin@martin-law.net

Dated: April 29, 2022

/s/ Caitlin P. Strauss
Caitlin P. Strauss